

REMARKS

The present communication is responsive to the Office Action mailed September 30, 2009 (hereinafter "Office Action"). Claims 34-37 are cancelled. Claims 5, 12, 16 and 33 are pending and rejected under 35 U.S.C. §112 and 35 U.S.C. §103(a). The specification and the drawings are objected to.

As set forth above in the amendment to the claims, Applicants amend claims 5, 16 and 33. In light of the amendment and the remarks to follow, reconsideration and allowance of this application are respectfully requested.

The Examiner rejected claims 5, 12, 16 and 33 under 35 U.S.C. 112. Specifically, the Examiner argues that "the specification as originally filed does not provide basis for the socket connectors and the plug connectors being distinguished by one of a plurality of distinctive mating structure. (page 2, Office Action). This feature has been removed from claims 5, 12, 16 and 33. Thus, Applicant respectfully submits that the 112 rejection on these claims has been overcome and should be withdrawn.

The Examiner objected to the specification for failing to provide proper antecedent basis for the above-mentioned feature. The drawings are also objected to for failing to show the above-mentioned feature of the invention specified in the claims. Based on the amendments of claims 5, 12, 16 and 33, Applicant respectfully submits that these objections are overcome.

The Examiner made the rejection of claims 5 and 16 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,850,457 ("Gefvert") in view of U.S. Patent No. 6,118,876 ("Ruzicka"), U.S. Patent No. 5,589,718 ("Lee"), U.S. Patent No. 5,470,253 to Siems et al. ("Siems"), U.S. Patent No. 3,824,524 ("Glover") and Applicant's Admitted Prior Art ("AAPA") of Figs. 12-14. The Examiner also made the rejection of claim 33 under

35 U.S.C. 103(a) as being unpatentable over *Gefvert* in view of *AAPA*.

In making the 103(a) rejection for claim 5, the Examiner asserts that FIG. 8B of *Gefvert* discloses the "output terminals corresponding to the left channels being arranged to the right of the output terminals corresponding to the right channels when viewed from the front of the receiver." (Office Action, page 5). The Examiner acknowledges that *Gefvert* does not teach the output terminals corresponding to the positions of the speakers as viewed from the rear portion of the electronic apparatus. To cure the admitted deficiency of *Gefvert*, the Examiner then proceeds to state that "it would have been obvious to one of ordinary skill in the art at the time the invention was made" to modify *Gefvert*, "as taught by *AAPA*." (Office Action, page 5). The modification results in "all of the audio signal output terminals corresponding to the left channels being arranged to the right of all of the audio signal output terminals corresponding to the right channels as viewed from the rear of the apparatus" (Office Action, page 5).

In response, it is respectfully requested that the above 103 rejection of claim 5 be withdrawn for at least the following reasons.

Contrary to the Examiner's assertion that the positional arrangements of the left and right terminals shown in FIG. 8B of *Gefvert* is an obvious variation of the arrangements in claim 5, the arrangements in *Gefvert* teaches the opposite to that recited in the present claims. As an example, independent claim 5 recites in part the following:

"in which the front left audio signal output terminal is arranged to the right of **both** of the front right audio signal output terminal and the rear right audio signal output terminal on the back panel **as viewed when facing the rear portion** of the electronic apparatus, and the rear left audio signal

output terminal is arranged to the right of both of the front right audio signal output terminal and the rear right audio signal output terminal on the back panel as viewed when facing the rear portion of the electronic apparatus," (Emphasis added.)

Examples for the above configuration can be found in FIG. 1 and 2 of the present application. Further, advantages of such specific arrangement of terminals are indicated throughout the present application.

Neither Gefvert nor Figs 12-14 disclose "the front left audio signal output terminal is arranged to the right of both of the front right audio signal output terminal and the rear right audio signal output terminal on the back panel as viewed when facing the rear portion of the electronic apparatus," as stated in claim 5. As argued by the Examiner, Fig. 8B of Gefvert "discloses the output terminals corresponding to the left channels being arranged to the right of the output terminals corresponding to the right channels when viewed from the front of the receiver." (Office Action, page 5).

As such, Applicant respectfully submits that Fig. 8B of Gefvert teaches the opposite to the output terminal arrangement of claim 5. As stated above, claim 5 expressly defines the scope of the arrangement as being viewed when facing the rear portion of the electronic apparatus. Thus, claim 5 and Gefvert teach two opposite arrangements. Therefore, it is respectfully submitted that the arrangement in Fig. 8B of Gefvert does not teach the arrangement of claim 5 and, as such, effectively teaches away from the terminal arrangement in claim 5.

Now turning to Figs. 12-14 of the present application (which the Examiner referred to as "AAPA"), the illustrations therein clearly show that, the front left audio signal output terminal, instead of being arranged to the right of the rear right audio signal output terminal, is notably arranged to the

left of the rear right audio signal output terminal. Such arrangement of Figs. 12-14 may cause the speaker cables to cross which may make the installation thereof more difficult as described in the present application. Therefore, neither Fig. 8B of Gefvert nor Figs. 12-14 of the present application discloses the arrangement of the left and right audio signal output terminals specifically recited in claim 5 of the present application.

Further, Applicant respectfully submits that the combination of Gefvert and Figs. 12-14 of the present application would not have suggested to one skilled in the art the output terminal arrangement recited in claim 5. Contrary to the Examiner's assertion, one skilled in the art, upon viewing Gefvert and Figs. 12-14, would have selected either the terminal arrangement of Fig. 8B of Gefvert or that of Figs. 12-14 of the present application as the terminal arrangement to be used. In addition, because Gefvert effectively teaches away from the output terminal arrangement in claim 5, a person of ordinary skill in the art cannot obtain the arrangement in claim 5 by combining Gefvert and Figs. 12-14.

As stated by the Examiner, the test for obviousness "is what the combined teachings of the references would have suggested to those of ordinary skill in the art." (Office Action, page 16). Notably, the proper way to consider the teachings of a reference is to take into account what one of ordinary skill in the relevant art would reasonably be expected to infer from the reference. As M.P.E.P. §2144.01 sets forth:

"[I]n considering the disclosure of a reference, it is proper to take into account not only specific teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom." In re Preda, 401 F.2d 825, 826, 159 USPQ 342, 344 (CCPA 1968).

(Emphasis added.)

Therefore, Applicant respectfully submits that, it is not reasonable to infer that one of ordinary skill in the art would obtain the arrangement in claim 5 by viewing the Fig. 8B of Gefvert and Figs. 12-14 of the present application. As noted above, one skilled in the art would choose either the arrangement of Fig. 8B of Gefvert or that of Figs. 12-14 of the present application. Inference that an arrangement can be obtained from a reference that teaches the opposite arrangement cannot be said a reasonable inference, and therefore is improper. Here, Applicant respectfully reminds the Examiner that drawing an inference from hindsight is impermissible in a 103 rejection. M.P.E.P. states that a judgment on obviousness is proper when the reconstruction only takes into account knowledge which was within the level of ordinary skill in the art at the time the claimed invention was made and does not include knowledge gleaned only from applicant's disclosure. (§2145 Section X. A.).

Finally, and as previously indicated, the terminal arrangement set forth in claim 5 has advantages that are indicated throughout the present application. These advantages include but not limited to: facilitating the connection between the apparatus and the speakers by routing wires directly from the apparatus to the speakers without having to cross-over other wires which could cause confusion to the installer, and reducing the possibility of a short-circuit which may occur when exposed wires cross over each other as, for example, in the case illustrated in Fig. 14 of the present application. However, such advantages are not present in the terminal arrangement of Fig. 8B of Gefvert or that of Fig. 12-14 of the present application.

For at least the reasons described above, it is respectfully submitted that the 103 rejection on claim 5 has

been overcome and, therefore, should be withdrawn. For similar reasons, it is also respectfully requested that the above 103 rejection of claim 16 be withdrawn.

Claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over Gefvert, Ruzicka, Lee ('718), Siems, Glover, and AAPA, and further in view of U.S. Patent No. 5,984,717 (Lee). Because claim 12 depends from independent claim 5 and the Examiner does not appear to have relied on Lee '717 to overcome the above-described deficiencies of the applied combination of Gefvert and AAPA, it is also respectfully requested that the above 103 rejection of claim 12 be withdrawn.

Claim 33 was rejected under 35 U.S.C. 103(a) as being unpatentable over Gefvert in view of AAPA. For similar reasons to those described above with regard to claim 5 and 16, it is also respectfully requested that the above 103 rejection of claim 33 be withdrawn.

New dependent claims have been added. The support for the newly added claims can be found in the specification, at paragraph [0104]-[0106], and at paragraph [0133].

As it is believed that all of the rejections set forth in the Office Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional rejections and/or objections which the Examiner might have.

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If there are any charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,
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